

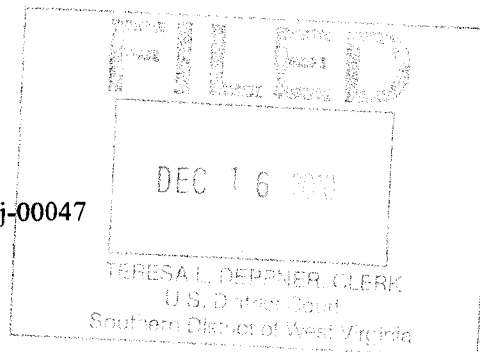
## UNITED STATES DISTRICT COURT

for the  
Southern District of West Virginia

In the Matter of the Search of  
(Briefly describe the property to be searched  
or identify the person by name and address)  
The residence of Dr. Philip Fisher, (D.O.),  
1976 Hash Ridge Road,  
Barboursville, WV 25504

\*REACTED COPY\*

Case No. 3:10-mj-00047



## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the Southern District of West Virginia

(identify the person or describe the property to be searched and give its location):

The residence of Dr. Philip F. Fisher, D.O., See Attachment A.

The person or property to be searched, described above, is believed to conceal (identify the person or describe the property to be seized):

See Attachment B.

\*PLEASE NOTE REDACTION TO RECEIPT FOR CASH OR OTHER ITEMS & ATTACHMENT B\*

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before

December 20, 2010

(not to exceed 14 days)

☒ in the daytime 6:00 a.m. to 10 p.m.

☐ at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

\_\_\_\_\_  
(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box) ☐ for \_\_\_\_\_ days (not to exceed 30).

☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

Date and time issued: 12/16/10 @ 11:28 am

City and state: Huntington WV

[Signature]  
Judge's signature  
Cheryl A. Eifert  
Printed name and title

Case No.:	Date and time warrant executed:	Copy of warrant and inventory left with:
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Inventory of the property taken and name of any person(s) seized:

## Printed name and title

AO 93 (Rev. 12/09) Search and Seizure Warrant (Page 2)

**Return**

Case No.: 3:10-MJ-00047	Date and time warrant executed: 12/9/10 @ 8:09 am	Copy of warrant and inventory left with: Philip Fisher, Do
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Inventory made in the presence of: Curt Nethercutt

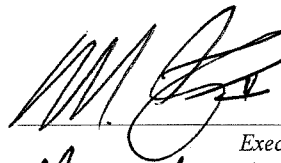
Inventory of the property taken and name of any person(s) seized:

See attached DEA-12 "Receipt for Cash or Other Items"

**Certification**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 12/16/10



Executing officer's signature

Mark Armstrong, DEA DE

Printed name and title

## U.S. DEPARTMENT OF JUSTICE - DRUG ENFORCEMENT ADMINISTRATION

## RECEIPT FOR CASH OR OTHER ITEMS

TO: (Name, Title, Address (including ZIP CODE), if applicable)

FILE NO.

G-DEP IDENTIFIER

PHILLIP FISHER

1976 HASK RIDGE RD

BARBERSVILLE WV 25504

FILE TITLE

DATE

12-9-10

DIVISION/DISTRICT OFFICE

CRO

WOO

I hereby acknowledge receipt of the following described cash or other item(s), which was given into my custody by the above named individual.

AMOUNT or QUANTITY	DESCRIPTION OF ITEM(S)	PURPOSE (If Applicable)
3 BOXES	FENTANYL PATCHES	ITEMS TAKEN
4 BOTTLES	METHADONE	DURING FEDERAL
1 BOTTLE	OXYCODONE	SEARCH WARRANT
1 BOTTLE	TALWIN	ON 12-8-2010
1 BOTTLE	AVINZA	
2 BOTTLES	5ML LIQUID DIAZEPAM	
MISC	PAPERWORK APPROPRIATE TO	
	[REDACTED] + PASSPORT	
MISC	pictures and email	
	[REDACTED] document	
1	(1) Garmin GPS Map 496 w/ power supplies	
1 BOTTLE	LORAZEPAM	
MISC	PASSPORTS + PHOTOGRAPHS	
	LOG BOOK AND ID	
	empty fentanyl boxes & "sleep coupons"	

RECEIVED BY (Signature)

WITNESSED BY (Signature)

NAME AND TITLE (Print or Type)

NAME AND TITLE (Print or Type)

Mark Armstrong DEA DI

Curt Nethercutt TFO

**ATTACHMENT A**  
**(Residence of Dr. Philip F. Fisher (D.O.)**  
**Located at 1976 Hash Ridge Road,**  
**Barboursville, WV 25504)**

**DESCRIPTION OF PREMISES TO BE SEARCHED**

1976 Hash Ridge Road, Barboursville, WV 25504, pictured below, is a double-wide mobile home located on 29-acres in Cabell County, WV. Upon entering Hash Ridge Road from Main Street in Barboursville, WV, the property's entrance is approximately 1.6 miles on the left-hand side of the road, directly after Hash Road Baptist Church. The property's entrance is a gravel driveway with a sign depicting an airplane and displaying the word, "Welcome." The driveway leads directly to the mobile home, which is the only residential structure on the property. The residential structure itself is located next to a white, metal-sided garage.



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON

RESIDENCE OF DR. PHILIP F. FISHER D.O.  
LOCATED AT 1976 HASH RIDGE ROAD,  
BARBOURSVILLE, WV 25504

MAGISTRATE NO. 3:10-mj-00047

**ATTACHMENT B**

ITEMS TO BE SEIZED

The government seeks to seize the following items which are believed to be kept and maintained on the premises described in the Search Warrant:

- (1) With regard to the patients identified on the attached "Complete Patient Seizure List":
  - (a) Complete patient files and billing information, including but not limited to, clinical records, progress notes, charts, superbills, fee tickets, encounter forms, routing slips, and similar documents; patient bills, invoices, insurance claims, claim forms, explanations of benefits, copies of checks or electronic transfers of payments, billing and payment records, patient ledgers or account cards; all schedule books, calendars, appointment books, patient sign-in logs or sheets and similar records
  - (b) All correspondence that in any way relates to the patients
  - (c) All laboratory test orders and laboratory test results
  - (d) Any and all agreements with patients
- (2) Any pre-signed or filled out prescriptions
- (3) The computer hardware (and associated peripherals) associated with any and all computers maintained at the search site - for the purpose of making a mirror image

With regard to Rest Ensured, authority is granted for on-site mirror imaging only, if on-site mirror imaging is not successful, further court authorization must be sought before computer hardware (and associated peripherals) are seized

In the event that any computer hardware (and/or associated peripherals) are seized, they must be returned to their owner within 60 days of seizure.

- (4) With regard to Dr. Fisher:
  - (a) Personal and business schedules, calendars, travel documents, telephone numbers, telephone messages
  - (b) Any and all biographical, financial, and business documents, to include but not limited to memorandums, letters, correspondences
  - (c) Photographs, including still photos, negatives, videotapes, films, undeveloped film and the contents therein, in particular, photographs of co-conspirators and photographs documenting commission of crimes
- (5) Any and all documents and records, contracts, writings, electronic mailings or other material relating to those listed in the complete patient seizure list attached hereto
- (6) Any and all controlled substances and corresponding package materials or prescription vials

With regard to Rest Ensured, prescribed controlled substances (e.g. tablets in a prescription vial), in the names of individuals who are not present, may be seized. Stock controlled substances for which there are no records indicating that Dr. Stultz received shipment (per 21 C.F.R. 1304.21/1304.04(a)), may also be seized

- (7) Records and documents relating to the purchase, dispensation, administration, prescription or distribution of controlled substances required to be maintained pursuant to Title 21, C.F.R., Section 1300 et seq.

- (8) Indicia of occupancy, residency, rental and/or ownership of the premises described herein, including but not limited to, utility and telephone bills, rental, and/or purchase, and/or lease agreements.



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
HUNTINGTON

IN RE:

THE RESIDENCE OF DR. PHILIP FISHER, (D.O.),  
1976 HASH RIDGE ROAD  
BARBOURSVILLE, WV 25504

Magistrate No. 3:10-mj-00047

COMPLETE PATIENT SEIZURE LIST

